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# Exhibit B

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Deposition of:  
**Statement of Ian Baxter, Esq.**

*January 6, 2020*

In the Matter of:  
**Mannarino, Sophie v. FCA US LLC et  
al.**

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1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF MICHIGAN  
3 SOUTHERN DIVISION  
4 Case No. 17-cv-07444-NGG-JO  
5 - - - - -x  
6 IN RE: US LLC MONOSTABLE ELECTRONIC  
7 GEARSHIFT LITIGATION,  
8  
9 MDL NO. 2744  
10  
11 This Document Relates to:  
12  
13 SOPHIE MANNARINO and MICHAEL MENNA, as  
14 Co-Administrators for the Estate of  
15 MICHAEL J. MANNARINO, a/k/a MICHAEL J.  
16 MANNARINO, JR.,  
17 Plaintiffs,  
18 -against-  
19  
20 FCA US LLC, ROCKAWAY CHRYSLER DODGE JEEP  
21 RAM, ZF NORTH AMERICA, INC. and JOHN DOES  
22 1-100,  
23 Defendants.  
24 - - - - -x  
25 16 Court Street  
Brooklyn, New York  
  
January 16, 2020  
10:05 a.m.  
  
DEPOSITION of SHELDON WHITE, A  
Non-Party Witness, held at the above time  
and place, taken before Arthur Hecht, a  
Shorthand Reporter and Notary Public of  
the State of New York, pursuant to the  
Federal Rules of Civil Procedure, and  
stipulations between Counsel.

1           A.       I've received multiple  
2           throughout -- within the police  
3           department, but I couldn't tell you off  
4           head -- off my head, off the top of my  
5           head.

6           Q.       Okay. I want to ask you a  
7           little bit now about the accident of  
8           February 15, 2017, and if I refer to an  
9           accident throughout the course of your  
10          deposition today, I'm going to be  
11          referring to the event of February 15,  
12          2017, okay?

13          A.       Yes.

14          Q.       Do you have any independent  
15          recollection of that day's events?

16          A.       Yes.

17          Q.       Can you tell me a little bit  
18          about what you remember, just  
19          independently --

20          A.       Oh, without looking at my notes.

21          Q.       -- without looking at your  
22          notes.

23          A.       Okay. I believe it was the last  
24          job of the day. The job comes over the  
25          radio. We get to the scene. Mr.

1 Mannarino -- when we get to the scene, Mr.  
2 Mannarino is on the floor, there's  
3 multiple people around him.

4 I spoke to Mr. Mannarino. I'm  
5 asking him what happened. You know, he  
6 seemed a little bit out of it, he tells me  
7 I don't remember.

8 I said okay. I'm asking  
9 multiple people did you guys see anything,  
10 they tell me no. And his vehicle is  
11 pretty much in front of him. Can I  
12 demonstrate with my phone? I don't know  
13 if you --

14 Q. Why don't we -- I believe  
15 there's a diagram --

16 A. Okay.

17 Q. -- in your report, we can use  
18 that --

19 A. Okay.

20 Q. -- when we get to it.

21 A. My partner goes to the vehicle,  
22 I didn't move the vehicle, and I take the  
23 report how I saw fit. That's pretty much.  
24 They call EMS, come get him, they take him  
25 onto the ambulance and took him to the

1 of what you're showing us with the items  
2 on the table that his body was in front of  
3 his vehicle and towards the driver's side?

4 A. Driver's side, yes.

5 Q. At a distance of, if you can  
6 estimate?

7 A. A car and a half feet away,  
8 like -- yeah, about a car length away.

9 Q. You mentioned that there were  
10 other people onsite when you arrived, can  
11 you estimate how many?

12 A. About four to eight people.

13 Q. Did you talk to any of those  
14 individuals?

15 A. I was trying to, and everyone  
16 didn't -- I asked was he ran -- like did  
17 someone run him over. No one seemed to  
18 understand or know. No one seen anything.

19 Q. Did you receive any information  
20 from any of those individuals about how  
21 the accident occurred?

22 A. I heard whispering, people  
23 saying he was trying to stop his vehicle,  
24 and that was it. That's the only things I  
25 heard.

1 Q. Okay. Did you take down the  
2 names of any of those individuals?

3 A. No.

4 Q. Is it fair to assume, then, that  
5 you don't know the names of any of those  
6 individuals?

7 A. No.

8 Q. The whispering that you heard,  
9 was it coming from multiple people or one  
10 person, if you could tell?

11 A. I couldn't tell. When I --  
12 because I was tending to Mr. Mannarino.

13 Q. Understood.

14 A. Uh-uh.

15 Q. Did you hear any whispering  
16 other than what you've told us about him  
17 possibly trying to stop the vehicle?

18 A. Not that I recall, no.

19 Q. What was the first thing you did  
20 upon arriving to the scene?

21 A. Assess what was happening. I  
22 saw Mr. Mannarino on the floor, I approach  
23 him. Sir, are you okay? You know, he was  
24 nodding his head. Can you tell me what  
25 happened, what's going on? Couldn't -- he

1       wasn't really talking as much. And I  
2       don't honestly remember him really saying  
3       anything to me besides getting his bag  
4       that was in his car, that was it.

5             Q.       When you say floor, are you  
6       referring to the ground?

7             A.       Yes, the parking lot ground.

8             Q.       Do you know how he got to the  
9       position that he was in when you first  
10      observed him?

11            A.       No.

12            Q.       Do you know if he had been moved  
13      to that position?

14            A.       No. No.

15                   MR. BRUNO: Just, you don't know  
16      or --

17                   THE WITNESS: No, I don't know.

18                   MR. BRUNO: Thank you.

19            Q.       Can you tell us about any  
20      observations that you may have made of Mr.  
21      Mannarino's physical appearance?

22            A.       His physical appearance? He  
23      seemed intact, everything was there. Just  
24      seemed sore, you know, he wanted to sit  
25      up. He asked me could he sit up, I said



1           A.       No.

2           Q.       All right. You mentioned an  
3 amend police report, and you actually  
4 brought something with you today. Can I  
5 just take a look?

6           A.       Sure.

7           MR. CAVANAGH: White 4.

8                   [Whereupon, at this time, the  
9 reporter marked as White Exhibit 4 the  
10 above-mentioned amended report for  
11 identification.]

12          Q.       Officer White, I'll give you  
13 what's been marked White 4. Can you tell  
14 me what that is?

15          A.       It's an amended report.

16          Q.       How did that -- tell me about  
17 the circumstances that led to that amended  
18 report.

19          A.       So the next day, I come in and  
20 my supervisor, Odessa, tells me that we  
21 have to redo the report.

22          Q.       Did she tell you why?

23          A.       Because Mannarino had passed  
24 away.

25          Q.       You're the one that amended the

1 report?

2 A. She did, she -- she did.

3 Q. Can you tell me how the amended  
4 report differs from the original report,  
5 if at all?

6 A. It just -- well, she added here,  
7 I told her what happened, and she just  
8 added, I guess, what she wrote in. She  
9 wrote here this pedestrian's death  
10 occurred on a private property. The cause  
11 of this collision was a mechanical defect  
12 from a manufacture safety recall that  
13 wasn't corrected. This pedestrian passed  
14 away the day after the collection. This  
15 report should be amended and the facility  
16 should be freelated.

17 Q. Do you know if that's a typo?

18 A. It might be.

19 Q. Could it be related?

20 A. Yes, I believe it's supposed to  
21 be related.

22 Q. So this amendment was made by  
23 Sergeant Odessa, is that right?

24 A. Yes.

25 Q. Okay. And it was made the next

1 day?

2 A. Yes.

3 Q. Do you know -- strike that.

4 The section that you just read  
5 followed something that says amended  
6 details in the description box, do you see  
7 that?

8 A. Yes.

9 Q. What you just read, is that the  
10 only difference between White 4 and White  
11 3, the original report?

12 A. Yes.

13 Q. Do you know why Sergeant Odessa  
14 added in the section about the  
15 pedestrian's death occurring on private  
16 property?

17 A. I have no idea.

18 Q. Are you aware of any  
19 significance that that would have from the  
20 officer -- or excuse me, from the  
21 perspective of a police officer?

22 A. I have no idea.

23 Q. Okay. The next sentence, the  
24 cause of the collision was a mechanical  
25 defect from a manufacture safety recall

1       that wasn't corrected, do you have any  
2       information about the mechanical defect  
3       that's being referenced in this sentence?

4           A.       I was informed by other people  
5       that that vehicle had recalls on it, and  
6       myself and Sergeant Odessa just spoke  
7       about it, and this is what she formulated.

8           Q.       Did you ever view any recalls?

9           A.       No.

10          Q.       Did you ever obtain any  
11       information from any source other than  
12       from Sergeant Odessa about the recall?

13          A.       No.

14          Q.       Other than what you've already  
15       testified to, did Sergeant Odessa provide  
16       you with any other information about the  
17       mechanical defect?

18          A.       No.

19          Q.       I apologize, you may have  
20       already answered this, but I can't recall,  
21       did she tell you what the mechanical  
22       defect was?

23          A.       We were talk -- I can't remember  
24       if she specified it, but from my other  
25       colleagues and -- because it was like

1 early in the day, yeah, that it happened,  
2 you know, I pretty much -- multiple people  
3 told me they have problem with the gears,  
4 the gears, and I was, like, I had no idea.

5 Q. Those multiple people, were they  
6 other police officers?

7 A. Yes.

8 Q. Okay. Other than what you heard  
9 from those other police officers, do you  
10 have any other information about the --

11 A. No.

12 Q. -- mechanical defect?

13 A. No.

14 Q. So at some point after you  
15 submitted your original report, you had a  
16 conversation with Sergeant Odessa --

17 A. Yes.

18 Q. -- correct?

19 A. Yes.

20 Q. And I think you testified  
21 earlier, tell me if I'm wrong, that you  
22 also spoke with another detective who  
23 conducted a post-accident investigation?

24 A. Yes.

25 Q. What was that individual's name?